REMARKS

This Amendment is fully responsive to the non-final Office Action dated December 4, 2008, issued in connection with the above-identified application. A petition for a one-month extension of time accompanies this Amendment. Claims 1-4 were previously pending in the present application. With this Amendment, claims 1-4 have been canceled without prejudice or disclaimer to the subject matter therein; and claims 5-8 have been added. Accordingly, claims 5-8 are all the claims now pending in the present application. No new matter has been introduced by the new claims added. Favorable reconsideration is respectfully requested.

To facilitate the Examiner's reconsideration of the present application, the Applicants have provided amendments to the specification and the abstract. The changes to the specification and the abstract include minor editorial and clarifying changes. No new matter has been introduced by the amendments made to the specification and the abstract.

In the Office Action, claims 1, 3 and 4 have been rejected under 35 U.S.C. 102(b) as being anticipated by Spruyt et al. (U.S. Publication No. 2002/0118658, hereafter "Spruyt"); and claim 2 has been rejected under 35 U.S.C. 103(a) as being unpatentable over Spruyt in view of Hirotsugu (Japanese Publication No. 2002-100998).

The Applicants have canceled claims 1-4 rendering the above rejections to those claims moot. Additionally, the Applicants assert that the cited prior art fails to disclose or suggest all the features recited in at least new independent claim 5. Independent claim 5 recites the following features:

"[a] communication system comprising a first apparatus and a second apparatus in which a plurality of frequency signals are communicated between said first apparatus and said second apparatus via a common cable,

said first apparatus comprising:

a multiplexing means for multiplexing a plurality of signals which are different in frequency from each other, and for transmitting at least one multiplexed signal to said second apparatus via the common cable; and

a transmission-sided reference frequency signal level detecting means for detecting

electric power of a reference signal among the plurality of signals before multiplexing by said multiplexing means; and

said second apparatus comprising:

a separating means for separating the reference signal from the at least one multiplexed signal which is received from said first apparatus; and

a reception-sided reference frequency signal level detecting means for detecting electric power of the reference signal which is separated by said separating means,

wherein said communication system further comprises a signal level control means for controlling electric power of one or more signals other than the reference signal based on a comparison between a result detected by said transmission-sided reference frequency signal level detecting means and a result detected by said reception-sided reference frequency signal level detecting means." (Emphasis added).

The features emphasized above in independent claim 5 are fully supported by the Applicants' disclosure (e.g., pg. 19, line 14-pg. 20, line 14; pg. 24; lines 13-19; and pg. 25, lines 6-11).

The present invention (as recited in independent claim 5) is distinguishable over the cited prior art in that a signal level control means controls electric power of one or more signals other than the reference signal based on a comparison between a result detected by a transmission-sided reference frequency signal level detecting means and a result detected by a reception-sided reference frequency signal level detecting means.

For example, a comparing/controlling unit 44 compares the averaged value of the level which is the result detected by the level detector 41 of the indoor unit 1 with the averaged value of the level which is the result detected by the level detector 71 of the outdoor unit 2. Then, the comparing/controlling unit 44 controls gain of the variable gain device 32 of the transmission system based upon the compared results in such a manner that the detected result (averaged result) of the electric power levels in the outdoor unit 2 become a proper value with respect to the detected result (averaged result) of the electric power levels in the indoor unit 1. No such features or advantages of the present invention (as noted above) are believed to be disclosed or

In light of the above, the Applicants respectfully submit that all the pending claims are patentable over the prior art of record. The Applicants respectfully request that the Examiner withdraw the rejections presented in the outstanding Office Action, and pass the present application to issue. The Examiner is invited to contact the undersigned attorney by telephone to resolve any remaining issues.

Respectfully submitted,

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suggested by the cited prior art.

Spruyt discloses, for example, that "the immunity of the pilot carrier for interferers, such as radio amateur signals, is improved by modulating the pilot carrier with a non-constant signal, for instance a random signal, an alternating signal or even scrambled data elements (DATA), before transmission thereof" (see e.g., abstract and ¶ [0007]) and also that "[t]he pilot carrier may change in frequency whenever the transmitter or receiver concludes that the pilot frequency is laying within a frequency band with too much interference" (see e.g., ¶ [0011]).

However, Spruyt fails to disclose or suggest a signal level control means for controlling electric power of one or more signals other than the reference signal "based on a comparison between a result detected by said transmission-sided reference frequency signal level detecting means and a result detected by said reception-sided reference frequency signal level detecting means," as recited in independent claim 5.

Moreover, Hirotsugu fails to overcome the deficiencies noted above in Spruyt. Hirotsugu discloses a method of adjusting gains of transmission amplifiers equipped in two apparatus. Each apparatus sets the gain of a respective transmission amplifier by sending an adjusted signal to another apparatus via a cable while increasing the gain of the transmission amplifier. Each apparatus then receives an adjusted signal from another apparatus and sets a minimum value as the gain of its transmission amplifier (see e.g., claim 1 and ¶ [0007]).

However, the methods or configurations disclosed in Hirotsugu are different from the present invention (as recited in independent claim 5) in that Hirotsugu also fails to disclose or suggest a signal level control means for controlling electric power of one or more signals other than the reference signal "based on a comparison between a result detected by said transmission-sided reference frequency signal level detecting means and a result detected by said reception-sided reference frequency signal level detecting means."

Based on the above discussion, independent claim 5 is not anticipated or rendered obvious by Spruyt and Hirotsugu (individually or in combination). Likewise, claims 6-8 are not anticipated or rendered obvious by Spruyt and Hirotsugu (individually or in combination) at least by virtue of their dependencies (directly or indirectly) from independent claim 5.